

SUMMARY OF
MINUTES OF THE MEETING OF THE
CALIFORNIA EMERGENCY COUNCIL

Held at the
State Library
Room 500
Fifth Floor
Sacramento, California
August 26, 2008

VOLUME 66

MEMBERS PRESENT

Frank McCarton, Chief Deputy Director
Janette Gunther - Allen, Special Agent
Richard O. Johnson, MD
Don Knabe, Supervisor Fourth District
Pedro Nava, Assembly Member
James Ridenour, Mayor
Harold Brooks, Chief Executive Officer
Michael L. Warren, Chief (Retired)
Gregory Ahern, Sheriff

Designee for Governor Schwarzenegger
Designee for Attorney General
Public Health Officer
County Government
State Assembly
City Government
American Red Cross
Fire Services
Law Enforcement

MEMBERS ABSENT

John Garamendi, Lieutenant Governor
Dean Florez, State Senate

GOVERNOR'S OFFICE OF EMERGENCY SERVICES STAFF

David Zocchetti, Chief Counsel
Christina Curry, Deputy Director
Mark Johnson, Program Manager II
Charlie Simpson, Chief, Law Enforcement Division
Helen Lopez, Chief of Staff
Patricia Rapozo, Senior Emergency Services Coordinator
Camille Valencia, Emergency Services Coordinator
Anne Marie Nielsen, Associate Governmental Program Analyst

OTHERS PRESENT

Ms. Kathleen Webb, Deputy Director, Department of General Services
Ms. Karen Baker, Secretary, California Service and Volunteering Agency
Ms. Sharron Leao, Director, Disaster and Emergency Management, California Volunteers
Ms. Betsey Lyman, Deputy Director, California Department of Public Health
Mr. Dan Dunmoyer, Cabinet Secretary, Governor's Office

Agenda Item I: Call To Order

This meeting of the California Emergency Council was called to order at approximately 1:13 p.m. by Chief Deputy Director, Frank McCarton, Governor's Office of Emergency Services (OES), Alternate for Governor Arnold Schwarzenegger.

Agenda Item II: Roll Call

Mr. David Zocchetti, OES Chief Legal Counsel, called roll of the members and determined a quorum had been established.

Agenda Item III: Opening Remarks

Mr. McCarton extended regrets on behalf of OES Director, Henry Renteria who was unable to attend this meeting. Chief Deputy Director, McCarton introduced the newest member of the Council: Sheriff Gregory Ahern of Alameda County. Mr. McCarton provided the status of the State Emergency Assessment Teams, the fire recovery activity, and the federal declaration deadline extensions for the recent fires. He also expressed that Assembly Bill (AB) 38 has passed through the Senate. This bill merges the Office of Emergency Services and the Office of Homeland Security and proposes to rename the new agency, California Emergency Management Agency. The next steps for the bill will be to obtain concurrence of amendments from the Assembly and then the bill will be forwarded to the Governor for his signature.

Assembly Member Nava also added that AB 880 which proposes liability protection for private and non-profit organizations who perform work or provide contributions for materials during emergency response activities, has been changed to AB 2796.

Agenda Item IV: Approval of Minutes

On motion of Assembly Member Nava the minutes from the January 30, 2008 meeting were approved unanimously without discussion.

Agenda Item V. A: Biennial Report Survey (Old Business)

Christina Curry, OES Deputy Director for Preparedness and Training provided a briefing on the Council's responsibility to develop a Biennial Report on the State's state of preparedness by January 2010. She referred to a Survey of Reports that was prepared by OES at the request of the Council during the January 2008 meeting, and explained that the survey captures relevant action reports from events occurring during the previous two years.

She concluded with an overview of the after action report process and the need to incorporate all reports and FEMA requirements for corrective actions in the Biennial Report. She also explained that OES has begun the process of preparing the after Action Report for the recent fires and the report will be available soon.

Chief Deputy Director McCarton acknowledged that OES does not have funding for this activity, and therefore, other resources must be considered to create this report. Ms. Curry offered to develop a scope of work for completing the report. The scope of work will be provided to the Council before the next meeting and it will include a list of stakeholders and

desired outcomes. Council Member Warren requested that once OES develops and distributes the proposed scope of work, everyone 'reply to all' so that everyone has the benefit of reading each other's comments.

Assembly Member Nava referred to the Little Hoover Commission Report as an example for this Biennial Report. It includes recommendations related to emergency response and legislative actions that should be considered. He added that the Attorney General may have valuable data to address terrorist activities and inquired if this information could be added in this type of report. Chief Deputy Director McCarton agreed that it should be included. Ms. Curry acknowledged that this type of data could be captured within the strategic actions section of the report. Assembly Member Nava further added that this type of information could possibly serve as a prosecution tool for terrorism related to information technology.

The Council recommended the scope of work outline be included on the agenda for the next meeting.

Agenda Item V. B: Endorsement of Membership Standing Committee (Old Business)

i. Businesses

Kathleen Webb, Deputy Director, Department of General Services, represented the proposed chair of the Standing Advisory Committee on Businesses, Secretary Rosario Marin, State and Consumer Services Agency. Ms. Webb provided the proposed membership of the Council's Standing Advisory Committee on Businesses, for their consideration.

ii. Volunteers

Ms. Karen Baker, Secretary for the California Service and Volunteering Agency and proposed Chair of the Standing Advisory Committee for Volunteer Organizations, presented an overview of California Volunteers (CV) and introduced Sharron Leao. Ms. Leao, Director of Disaster and Emergency Management for CV, provided the proposed membership of the Council's Standing Advisory Committee on Volunteer Organizations, for their consideration.

Mr. Brooks motioned to adopt the two Standing Advisory Committee Chairs and the members as proposed.

The motion was carried by a unanimous vote.

Agenda Item V. C: Potential Standby Orders (Old Business)

Ms. Betsey Lyman, Deputy Director for the California Department of Public Health presented two new standby orders and provided a detailed explanation of the orders:

- 1) Expanding Scope of Practice During Healthcare Surge; this standby order would allow professionals to perform duties outside of their current scope of practice. This standby order would also expand specific liability protection defined in Government Code Section 8659 to health care workers operating within the parameters of this standby order.

- 2) Expanding Disaster Service Worker Protections to Contractors; this standby order allows for the designation of contractors as agents of local governments, to assist with health care activities when volunteers and all other resources have been exhausted. The order also provides specific liability to the contractors as defined by the Disaster Service Worker program.

Counselor David Zocchetti indicated the Council must review and approve proposed standby orders. The Council currently has nine standby orders and the Governor may integrate those orders when conditions warrant.

Discussion:

Dr. Johnson asked if these standby orders could be implemented for a local emergency. OES Counsel stated the standby orders can only be implemented during a Governor's proclamation of a state of emergency.

Dr. Johnson motioned to approve the proposed standby orders.

The motion was carried by a unanimous vote.

Agenda Item V. D: State Emergency Plan (SEP) Phase I

Mark Johnson, Program Manager for the OES Preparedness Branch, provided an overview of the status of the latest revision of the State Emergency Plan. The SEP will require the approval of the Emergency Council prior to forwarding to the Governor for his approval.

Mr. Johnson stated that the SEP should be broad enough to apply to local governments and should be general enough to provide standard emergency management. The SEP should be transparent and consistent with State Emergency Management System (SEMS), the National Incident Management System (NIMS), and with the National Response Framework.

He also noted that the 14 proposed California Emergency Functions are coordinated discipline specific emergency functions or annexes and will coordinate activities. He stated the SEP is posted on OES' web page for the public's review and encouraged the Council to review the plan.

Discussion:

Chief Warren expressed concern regarding the inconsistency of the proposed California Emergency Functions with FEMA's Support Functions. He stressed the need to mirror FEMA's Support Functions and the expectation to blend them with the local jurisdictions.

Supervisor Knabe concurred and noted the ability to use the same language and the need to mirror the same functions in order to best communicate.

Chief Deputy Director McCarton suggested that OES will work with Supervisor Knabe and Chief Warren to address their concerns.

Agenda Item V. E: Mass Fatality

Chief Charlie Simpson, OES Law Enforcement Branch provided a presentation on Coroners' Mutual Aid and Mass Fatality Management Planning at the request of the Emergency Council. This plan can be viewed on the OES website.

Agenda Item V. F: Dedicated Webpage for California Emergency Council

Camille Valencia, OES Emergency Services Coordinator, presented an overview of the proposed webpage for the Council. The Council and the public will be able to access membership information, meeting notices, and presentation materials. The webpage is projected to be completed by mid-September.

Agenda Item VI: Future Council Meetings

Chief Deputy Director McCarton requested the Council entertain a motion for future meetings.

Supervisor Knabe motioned for the Council to meet twice per year and as needed. It was also agreed the Council will hold a special meeting in mid November to review and approve the SEP.

The motion was carried by a unanimous vote.

Sheriff Ahern extended an invitation to the Council for a terrorist training committee award ceremony at the USS Hornet and noted that on September 15th, classes will be ongoing at the USS Hornet. Additional information is available on the website for Urban Shield.

Agenda Item VII: Public Comments

There was no public comment.

Agenda Item VIII: Adjournment

Chief Deputy Director McCarton declared the meeting adjourned at 3:00 p.m.